

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Genentech, Inc.Application No./Patent No.: 10/071,962 Filed/Issue Date: 08-Feb-2002Entitled: G-CSF receptor agonist antibodies and screening method thereforGenentech, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: the inventor(s) To: Tanox, Inc. (TX, USA Corporation)

The document was recorded in the United States Patent and Trademark Office at  
Reel 010753, Frame 0934, or for which a copy thereof is attached.

2. From: Tanox Inc.(TX, USA Corporation) To: Tanox, Inc. (DE, USA Corporation)

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: Tanox, Inc. (DE, USA Corporation) To: Genentech, Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

X

Signature

Paul S. Naik

Printed or Typed Name

X

11/21/07

Date

(650) 225-5530

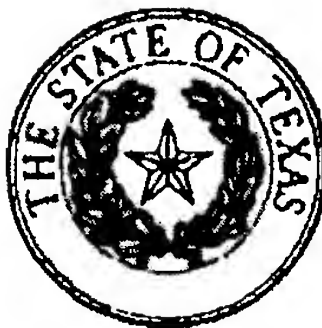
Telephone Number

Associate General Counsel, Director

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## Office of the Secretary of State

### APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

- |                              |                          |
|------------------------------|--------------------------|
| 1. Country:                  | United States of America |
| 2. This Public document      |                          |
| 3. has been signed by        | Geoffrey S. Connor       |
| 4. acting in the capacity of | Secretary of State       |
| 5. bears the seal/stamp of   | State of Texas           |

### CERTIFIED

- |  |                |
|--|----------------|
| 6. at Austin, Texas                                    |                |
| 7. on August 2, 2004                                   |                |
| 8. by the Director, Business & Public Filings Division |                |
| 9. Certificate No. C00003131                           |                |
| 10. Seal   | 10. Signature: |



*Lorna Warrdoff*

Director, Business & Public Filings Division

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Geoffrey S. Connor  
Secretary of State

## Office of the Secretary of State

The undersigned, as Secretary of State of Texas, does hereby certify that articles of merger were filed in this office on January 27, 2000. The articles of merger provided the following:

|             |          |                                   |                                  |
|-------------|----------|-----------------------------------|----------------------------------|
| TANOX, INC. | 79020300 | (Constituent entities)<br>TX, USA | Domestic Business<br>Corporation |
|-------------|----------|-----------------------------------|----------------------------------|

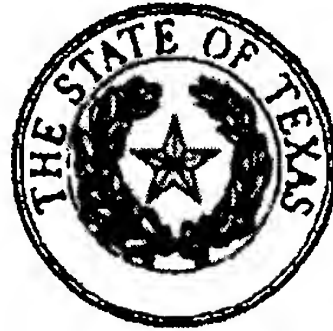
|             |  |  |                                 |
|-------------|--|--|---------------------------------|
| TANOX, INC. |  | Were merged with and into<br>(Surviving entity)<br>DE, USA | Foreign Business<br>Corporation |
|-------------|--|--|---------------------------------|

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on August 02, 2004.



A handwritten signature in black ink, appearing to read "G. S. Connor".

Geoffrey S. Connor  
Secretary of State



## Office of the Secretary of State

### APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

- |                              |                          |
|------------------------------|--------------------------|
| 1. Country:                  | United States of America |
| This Public document         |                          |
| 2. has been signed by        | Geoffrey S. Connor       |
| 3. acting in the capacity of | Secretary of State       |
| 4. bears the seal/stamp of   | State of Texas           |

### CERTIFIED

- |  |                |
|--|----------------|
| 5. at Austin, Texas                                    |                |
| 6. on August 2, 2004                                   |                |
| 7. by the Director, Business & Public Filings Division |                |
| 8. Certificate No. C00003132                           |                |
| 9. Seal  | 10. Signature: |



*Lorna Wansdorf*

Director, Business & Public Filings Division

Corporations Section  
Box 13697  
Austin, Texas 78711-3697



Geoffrey S. Connor  
Secretary of State

## Office of the Secretary of State

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Application For Certificate Of Authority for TANOX, INC. (filing number: 13050306), a DELAWARE, USA Foreign Business Corporation, was filed in this office on January 31, 2000.

It is further certified that the entity status in Texas is active.

It is further certified that our records indicate NANCY T CHANG as the designated registered agent for the above named corporation and the designated registered office for said corporation is as follows:

10301 STELLA LINK  
HOUSTON, TX - 77025 USA

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on August 02, 2004.



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor  
Secretary of State



## ASSIGNMENT

WHEREAS, **Tanox, Inc.**, ASSIGNOR, a Delaware corporation, having a place of business at 10555 Stella Link, Houston, TX 77025, has all right, title and interest in the United States patent applications and patents identified in the attached Schedule A, and all inventions disclosed, described and claimed therein ("the Inventions");

AND WHEREAS, **Genentech, Inc.**, ASSIGNEE, a Delaware corporation having a place of business at 1 DNA Way, South San Francisco, CA 94080, is desirous of obtaining any and all right, title and interest to the Inventions, including the right to bring an action and recover damages for past infringements, if any;

AND WHEREAS, ASSIGNOR, is desirous of assigning the entire right, title and interest to the Inventions, including the right to bring an action and recover damages for past infringement, if any;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said ASSIGNOR, has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Inventions including the right to bring an action and recover damages for past infringement, if any; and all rights, title and interest in any corresponding United States patent applications and all divisions, renewals and continuations thereof; and all Patents which may be granted thereon and all reissues and extensions thereof; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for the Inventions, and all extensions, renewals and reissues thereof;

AND ASSIGNOR HEREBY authorizes and requests said ASSIGNEE, its successors, legal representatives, or assigns to insert when known the application number and filing date of any international, regional, or national application already filed or filed hereafter for the Inventions: Application No. \_\_\_\_\_ Filing Date \_\_\_\_\_;

AND ASSIGNOR HEREBY covenants and agrees that it has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting the Inventions, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for the Inventions.

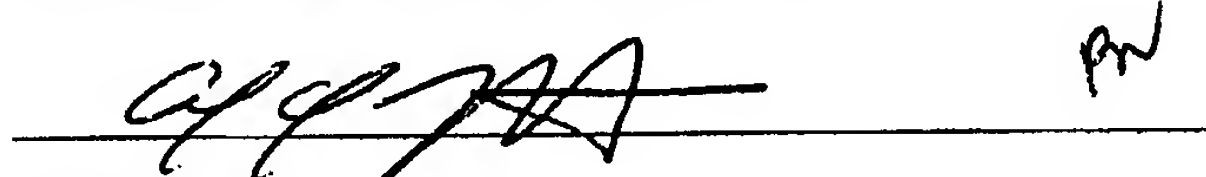
AND ASSIGNOR HEREBY further covenants and agrees that it has read this Assignment, knows and understands its contents, and comprehends and agrees to all of its terms, conditions and meanings and their significance.

IN TESTIMONY WHEREOF, the person executing this Assignment in a representative capacity on behalf of the ASSIGNOR warrants that he is fully authorized and empowered to do so and signs his name on the date indicated below.

ASSIGNOR: **Tanox, Inc.**

Ashraf Hanna Authorized to sign on behalf of Tanox, Inc.

Signature:

 *pn*

Position/Title:

Vice President

Address:

1055 Stella Link

Houston, TX 77025

Date:

State of

)

) SS:

County of

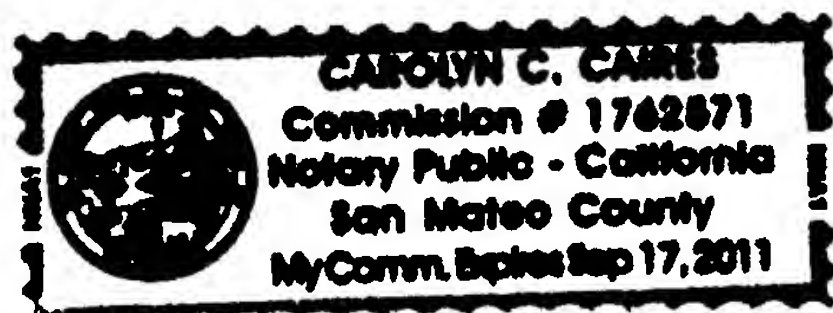
)

On 13 November 2007, before me, Carolyn C. Giffes, Notary Public, personally appeared Ashraf Hanna, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument

and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Carolyn C. Cairns



## Schedule A

| U.S. Application No. | Filing Date  | U.S. Patent No. | Issue Date  |
|----------------------|--------------|-----------------|-------------|
| 07234399             | 19-Aug-1988  | 5149782         | 22-Sep-1992 |
| 07531789             | 01-Jun-1990  |                 |             |
| 08089990             | 09-Jul-1993  | 6309880         | 30-Oct-2001 |
| 07369479             | 21-June-1989 | 5079344         |             |
| 07455080             | 22-Dec-1989  | 5089603         | 18-Feb-1992 |
| 07760765             | 16-Sep-1991  |                 |             |
| 07783819             | 28-Oct-1991  |                 |             |
| 07783268             | 28-Oct-1991  |                 |             |
| 07783818             | 28-Oct-1991  |                 |             |
| 07783270             | 28-Oct-1991  |                 |             |
| 07788121             | 04-Nov-1991  |                 |             |
| 07788116             | 04-Nov-1991  |                 |             |
| 07788120             | 04-Nov-1991  |                 |             |
| 07788122             | 04-Nov-1991  |                 |             |
| 07785565             | 04-Nov-1991  | 5866129         | 02-Feb-1999 |
| 07788124             | 04-Nov-1991  |                 |             |
| 07788117             | 04-Nov-1991  |                 |             |
| 08077756             | 15-Jun-1993  |                 |             |
| 08095068             | 20-Jul-1993  | 5362643         | 08-Nov-1994 |
| 08140721             | 22-Oct-1993  | 5484907         | 16-Jan-1996 |
| 08249558             | 26-May-1994  |                 |             |
| 08619790             | 20-Mar-1996  | 5690934         | 25-Nov-1997 |
| 07531787             | 01-Jun-1990  | 5281699         | 25-Jan-1994 |
| 07562201             | 03-Aug-1990  |                 |             |
| 07902449             | 19-Jun-1992  | 5298420         | 29-Mar-1994 |
| 07675654             | 27-Mar-1991  |                 |             |
| 08264649             | 23-Jun-1994  |                 |             |
| 08855744             | 05-May-1997  | 6685930         | 03-Feb-2004 |
| 07688000             | 19-Apr-1991  |                 |             |
| 07819449             | 10-Jan-1992  |                 |             |
| 07926566             | 06-Aug-1992  |                 |             |
| 07981276             | 25-Nov-1992  | 6129916         | 10-Oct-2000 |
| 07993291             | 18-Dec-1992  | 5872222         | 16-Feb-1999 |
| 08011130             | 28-Jan-1993  | 6106835         | 22-Aug-2000 |
| 08035723             | 23-Mar-1993  | 6197298         | 06-Mar-2001 |
| 08046364             | 08-Apr-1993  | 6117982         | 12-Sep-2000 |
| 08082742             | 25-Jun-1993  |                 |             |
| 07692299             | 26-Apr-1991  | 5245015         | 14-Sep-1993 |
| 08080222             | 18-Jun-1993  |                 |             |
| 07797692             | 25-Nov-1991  | 5266478         | 30-Nov-1993 |
| 07848249             | 09-Mar-1992  | 5213960         | 25-May-1993 |
| 07905040             | 26-Jun-1992  | 5256542         | 26-Oct-1993 |



### Schedule A (cont'd)

| U.S. Application No. | Filing Date | U.S. Patent No. | Issue Date  |
|----------------------|-------------|-----------------|-------------|
| 08021619             | 17-Feb-1993 | 5326696         | 05-Jul-1994 |
| 07994126             | 21-Dec-1992 |                 |             |
| 08263258             | 21-Jun-1994 | 5670626         | 23-Sep-1997 |
| 08866849             | 29-May-1997 |                 |             |
| 08410360             | 24-Mar-1995 | 5691447         | 25-Nov-1997 |
| 08711175             | 09-Sep-1996 | 5739306         | 14-Apr-1998 |
| 08707801             | 04-Sep-1996 | 5728814         | 17-Mar-1998 |
| 08709047             | 06-Sep-1996 | 5652333         | 29-Jul-1997 |
| 08709006             | 06-Sep-1996 | 5731428         | 24-Mar-1998 |
| 08986865             | 15-Dec-1997 |                 |             |
| 08579211             | 28-Dec-1995 |                 |             |
| 08719331             | 25-Sep-1996 | 5723125         | 03-Mar-1998 |
| 09268787             | 16-Mar-1999 |                 |             |
| 09418734             | 15-Oct-1999 |                 |             |
| 08994719             | 19-Dec-1997 | 5908626         | 01-Jun-1999 |
| 10005438             | 03-Dec-2001 |                 |             |
| 10917899             | 13-Aug-2004 |                 |             |
| 60075328             | 20-Feb-1998 |                 |             |
| 09253689             | 29-Jan-1999 |                 |             |
| 09821255             | 29-Mar-2001 | 6956107         | 18-Oct-2005 |
| 11139447             | 27-May-2005 | 7112327         | 26-Sep-2006 |
| 11478088             | 29-Jun-2006 |                 |             |
| 11478089             | 29-Jun-2006 |                 |             |
| 60083575             | 30-Apr-1998 |                 |             |
| 09303155             | 30-Apr-1999 |                 |             |
| 10071962             | 08-Feb-2002 |                 |             |
| 11483070             | 07-Jul-2006 |                 |             |
| 60108816             | 17-Nov-1998 |                 |             |
| 09810883             | 16-Mar-2001 | 7118743         | 10-Oct-2006 |
| 10213216             | 06-Aug-2002 |                 |             |
| 60191429             | 23-Mar-2000 |                 |             |
| 09816839             | 23-Mar-2001 | 6998468         | 14-Feb-2006 |
| 10908738             | 24-May-2005 |                 |             |
| 09682672             | 04-Oct-2001 | 6534058         | 18-Mar-2003 |
| 60265701             | 01-Feb-2001 |                 |             |
| 10061910             | 01-Feb-2002 |                 |             |
| 60313137             | 17-Aug-2001 |                 |             |

### Schedule A (cont'd)

| U.S. Application No. | Filing Date | U.S. Patent No. | Issue Date  |
|----------------------|-------------|-----------------|-------------|
| 10222464             | 17-Aug-2002 |                 |             |
| 60315197             | 27-Aug-2001 |                 |             |
| 10488161             | 27-Feb-2004 |                 |             |
| 60337542             | 05-Nov-2001 |                 |             |
| 10286927             | 02-Nov-2002 |                 |             |
| 11901060             | 14-Sep-2007 |                 |             |
| 60345909             | 03-Jan-2002 |                 |             |
| 10500784             | 02-Jul-2004 |                 |             |
| 07197766             | 23-May-1988 |                 |             |
| 07898383             | 09-Jun-1992 |                 |             |
| 08015248             | 05-Feb-1993 | 6657050         | 02-Dec-2003 |
| 10528326             | 07-Mar-2006 |                 |             |
| 60412157             | 19-Sep-2002 |                 |             |
| 10589068             | 10-Aug-2006 |                 |             |
| 60521047             | 11-Feb-2004 |                 |             |
| 60568374             | 05-May-2004 |                 |             |
| 10529051             | 24-Mar-2005 |                 |             |
| 60414062             | 27-Sep-2002 |                 |             |
| 60591719             | 28-Jul-2004 |                 |             |
| 11658414             | 26-Jan-2007 |                 |             |
| 10585881             | 12-Jul-2006 |                 |             |
| 60481891             | 13-Jan-2004 |                 |             |
| 11597768             | 27-Nov-2006 |                 |             |
| 60574734             | 27-May-2004 |                 |             |
| 60449069             | 21-Feb-2003 |                 |             |
| 10545700             | 16-Aug-2005 |                 |             |
| 10562233             | 21-Dec-2005 |                 |             |
| 60483360             | 27-Jun-2003 |                 |             |
| 60470681             | 15-May-2003 |                 |             |
| 10556998             | 23-May-2006 |                 |             |
| 60525342             | 26-Nov-2003 |                 |             |
| 10580703             | 25-May-2006 |                 |             |
| 60532130             | 23-Dec-2003 |                 |             |
| 10583927             | 22-Jun-2006 |                 |             |
| 60578194             | 09-Jun-2004 |                 |             |
| 60580422             | 17-Jun-2004 |                 |             |

### Schedule A (cont'd)

| U.S. Application No. | Filing Date | U.S. Patent No. | Issue Date |
|----------------------|-------------|-----------------|------------|
| 11629047             | 08-Dec-2006 |                 |            |
| 60918136             | 15-Mar-2007 |                 |            |
| 11885917             | 07-Mar-2006 |                 |            |
| 60659547             | 08-Mar-2005 |                 |            |
| 60756329             | 05-Jan-2006 |                 |            |
| 60837975             | 16-Aug-2006 |                 |            |
| 10583926             | 22-Jun-2006 |                 |            |
| 60793369             | 19-Apr-2006 |                 |            |
| 60689623             | 10-Jun-2005 |                 |            |
| 60733763             | 04-Nov-2005 |                 |            |
| 60856505             | 02-Nov-2006 |                 |            |
| 60903693             | 27-Feb-2007 |                 |            |
| 60308068             | 26-Jul-2001 |                 |            |